

# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE: B-184608

DATE: SEP 9 1976

98062

MATTER OF:

Warren E. Street - Claim for Reimbursement  
for Annual Leave

DIGEST:

Where former employee of Army contends he was improperly charged annual leave incident to PCS travel and claims reimbursement for it, and Army maintains he was never charged the leave in question, the claim must be disallowed under the long standing rule that when there is a dispute between the claimant and the administrative agency as to the facts, those reported by the administrative agency will be accepted by this Office in the absence of evidence sufficient to overcome the presumption of the correctness thereof.

By letter dated May 10, 1976, Mr. Warren E. Street a former employee of the Department of the Army, requests reconsideration of that part of our decision of May 4, 1976, B-184608, wherein we held that this Office could not, in the absence of substantive evidence overcoming it, disturb the determination of the Department of the Army that he was not charged 8 hours annual leave for January 2, 1974, and was therefore not entitled to reimbursement for it.

Mr. Street continues to contend that he was charged annual leave for January 2, 1974, when he delayed by one day the completion of his permanent change of station (PCS) travel from Heidelberg, Germany, to Anniston, Alabama, because of the President's request for Sunday closings of gasoline stations. The file indicates that, prior to the finding by this Office that this delay was justified, the Anniston Army Depot did intend to charge him leave for that day and, by letter dated February 27, 1974, requested the Finance and Accounting Office in Europe to enter this charge on the claimant's Record of Leave Data, Standard Form 1150, and forward it to Anniston.

However, at our request, the Army has again reviewed this matter and has informed us as follows: (1) the charge for 8 hours of annual leave for January 2, 1974, was not entered on Mr. Street's

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S. F. 1150 by the Finance and Accounting Office in Europe; (2) the S. F. 1150 actually submitted from Europe was dated February 5, 1974, prior to the February 27 request and showed his annual leave balance as 326 hours as of December 29, 1973, the end of the next to last pay period in the 1973 leave year; (3) he was credited with an 8 hour accumulation for the last pay period in the 1973 leave year which ended January 12, 1974; (4) he carried 334 hours into the 1974 leave year; (5) therefore, he was charged no annual leave for the entire last pay period of the 1973 leave year (December 30, 1973 - January 12, 1974), the period within which the day in question, January 2, 1974, fell.

It is a well established rule that where there is a dispute between the claimant and the administrative agency as to the facts, those reported by the administrative agency will be accepted by this Office in the absence of evidence sufficient to overcome the presumption of the correctness thereof. 3 Comp. Gen. 51 (1923); 16 id. 325 and 410 (1936); 20 id. 573 (1941); 38 id. 527 (1959); 46 id. 740 (1967).

Accordingly Mr. Street's claim for reimbursement for 8 hours annual leave is denied and our prior decision, B-184608, dated May 4, 1976, is affirmed.

Comptroller General  
of the United States